

IN THE U.S. DISTRICT COURT FOR THE MIDDLE  
DISTRICT FOR THE NORTHERN DIVISION OF THE  
STATE OF ALABAMA

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DEBRA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

BARRY RANDALL THOMAS,  
PLAINTIFF, PRO SE.

VS.

DR. DARBOUZE, M.D.; MS. WILSON, R.N.;  
MR. DAVENPORT, WARDEN.  
DEFENDANTS.

:  
: CIVIL ACTION No.

: 2:07CV630-MEF

PLAINTIFF'S MOTION FOR APPOINTMENT OF  
COUNSEL

PURSUANT TO 28 U.S.C. # 1915 (e) (1), PLAINTIFF MOVES  
FOR AN ORDER APPOINTING COUNSEL TO REPRESENT HIM IN  
THIS CASE. IN SUPPORT OF THIS MOTION, PLAINTIFF STATES:

1. PLAINTIFF CANNOT AFFORD TO HIRE A LAWYER. HE HAS  
REQUESTED LEAVE TO PROCEED IN FORMA PAUPERIS IN THIS  
CASE.
2. PLAINTIFF'S IMPRISONMENT WILL GREATLY LIMIT HIS

ABILITY TO LITIGATE THIS CASE. THIS CASE WILL LIKELY INVOLVE SUBSTANTIAL INVESTIGATION AND DISCOVERY.

ALSO, PLAINTIFF HAS NO MEANS TO GET TO THE LAW LIBRARY AT E.C.F. AND IF/WHEN THERE NO "HANDICAPPED - TYPE" ACCESS THAT THE PLAINTIFF CAN TOLERATE TO UTILIZE.

3. THE ISSUES IN THIS CASE ARE COMPLEX. A LAWYER WOULD HELP PLAINTIFF TO APPLY LAW PROPERLY IN BRIEFS AND BEFORE THE COURT. PLAINTIFF HAS NEVER BEFORE BEEN A PARTY TO A CIVIL LEGAL PROCEEDING.

4. A TRIAL IN THIS CASE WILL LIKELY INVOLVE CONFLICTING TESTIMONY. A LAWYER WOULD ASSIST PLAINTIFF IN THE PRESENTATION OF EVIDENCE AND THE CROSS EXAMINATION OF OPPOSING WITNESSES.

5. PLAINTIFF HAS MADE REPEATED EFFORTS TO OBTAIN A LAWYER UNSUCCESSFULLY

WHEREFORE PLAINTIFF REQUEST THAT THE COURT APPOINT COUNSEL TO REPRESENT HIM IN THIS CASE.

RESPECTFULLY SUBMITTED, THIS 23<sup>RD</sup> DAY OF JUNE, 2007.

Barry R. Thomas

BARRY R. THOMAS, PLAINTIFF  
PRO SE